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PATENT
Attorney Docket No.: 020444-000710US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On September 26, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Kathryn A. Deglianton

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LUKE V. SCHNEIDER, et al.

Application No.: 10/035,349

Filed: October 19, 2001

For: MASS DEFECT LABELING FOR
THE DETERMINATION OF
OLIGOMER SEQUENCES

Customer No.: 20350

Examiner: Chakrabarti, Arun K.

Technology Center/Art Unit: 1634

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants thank the Examiner for his time in the interview of June 27, 2003.

With this submission, Applicants respectfully request continued examination of the above identified application under 37 CFR §1.114. An Information Disclosure Statement (IDS) and Request for Continued Examination (RCE) accompany this amendment.

Applicants note that the previous IDS, mailed June 24, 2003, may have crossed in the mail with the Final Office Action, mailed June 3, 2003. Therefore, Applicants have included the previous IDS, mailed June 24, 2003, to insure that the references disclosed therein are considered for purposes of this Continued Examination.



image

RCE/1634

PTO/SB/30 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Request For Continued Examination (RCE) Transmittal

Address to:
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Alexandria, VA 22313-1450

Application Number	10/035,349
Filing Date	October 19, 2001
Examiner Name	Chakrabarti, Arun K.
First Named Inventor	Schneider, Luke V.
Art Unit	1634
Attorney Docket Number	020444-000710US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other PTO/SB/8A, Int'l. Preliminary Examination Report, four references; and copy of IDS filed June 24, 2003

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-1430
- i. ☒ RCE fee required under 37 CFR 1.17(e) 10/01/2003 SSESHE1 00000149 201430 10035349
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 375.00 DA
- iii. ☐ Other _____ 02 FC:2251 55.00 DA
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Kenneth E. Jenkins, Ph.D.	Registration No. (Attorney/Agent)	51,846
Signature	<i>Kenneth E. Jenkins</i>	Date	September 26, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print /Type)	Kathryn A. Degliantoni	Date	September 26, 2003
Signature	<i>Kathryn A. Degliantoni</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

A Fee Transmittal authorizing the Commissioner to charge the fee as set forth in §1.17(e) to our deposit account is attached. Applicants respectfully request reconsideration of the above-referenced patent application in view of the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 14 of this paper.